

REMARKS

Claims 1-12 are pending in the application. In the Office Action mailed on July 16, 2006, the Examiner required election under 35 U.S.C. § 121 to one of the groups of claims consisting of either Group I claims 1-7 or Group II claims 8-11. New claim 12 depends from independent method claim 8.

The Examiner stated that the different Groups were distinct because "the apparatus of invention I could perform a method incorporating a web of un-printed material and/or a high speed separation transport." This reasoning appears to include two grounds for restriction that will be discussed separately.

With regard to the distinction relating to a method using a web of un-printed material, applicants do not intend the printing, or non-printing, on the web to be affirmative claim recitations in either independent claim. Accordingly, independent method claim 8 has been amended to remove the reference to a "printed" web, so as to make independent claims 1 and 8 co-extensive in that regard.

With regard to the distinction relating to the "high speed separation transport," recited in claim 1, corresponding steps are found in claim 8 (See, for example, the relevant step of "pulling individual shingled sheets out from the shingled arrangement at a second velocity whereby sheets are thereafter transported serially and separated by a predetermined gap"). The Examiner has not explained how such element would result in a different process than recited in claim 8.

Accordingly, Applicants request that groups I and II be examined together because the art search by the PTO will be co-extensive for both groups, and examination of the two groups together will not place extra burden on the Examiner. It is requested the Examiner reconsider and withdraw this requirement, to allow more expeditious examination of all the claims.

If the restriction is not withdrawn, Applicants elect Group I claims 1-7 for examination, pursuant to the requirement to make an election in this response. However, if Applicants feel that an arbitrary restriction is being imposed, the appropriate petition may be filed to avoid the expense and delay of filing separate applications.

Applicants feel that an arbitrary restriction is being imposed, the appropriate petition may be filed to avoid the expense and delay of filing separate applications.

Respectfully submitted,



Michael J. Cummings
Reg. No. 46,650
Attorney of Record
Telephone (203) 924-3934

PITNEY BOWES INC.
Intellectual Property and
Technology Law Department
35 Waterview Drive
P.O. Box 3000
Shelton, CT 06484-8000

Best Available Copy